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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/733,943	12/11/2003	William Kress Bodin	AUS920030839US1	8719
34533	7590	02/07/2007	EXAMINER [REDACTED]	
INTERNATIONAL CORP (BLF) c/o BIGGERS & OHANIAN, LLP P.O. BOX 1469 AUSTIN, TX 78767-1469			FABER, DAVID	
			ART UNIT [REDACTED]	PAPER NUMBER 2178
SHORTENED STATUTORY PERIOD OF RESPONSE 2 MONTHS		MAIL DATE 02/07/2007	DELIVERY MODE PAPER	

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Technology Center 2100

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/733,943

Filing Date: December 11, 2003

Appellant(s): BODIN ET AL.

H. Artoush Ohanian
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 28 November 2006 appealing from the Office action mailed 28 June 2006.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

No evidence is relied upon by the examiner in the rejection of the claims under appeal.

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-3, 11-13, and 21-23 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Hosea et al (US PGPub 2002/0138331, published 9/26/2002)

As per independent Claim 1, Hosea et al discloses a method comprising:

- providing user profiles representing users capable of participating in presentations, each user profile including user classifications for a user; (e.g. Paragraph 0041, lines 5-14; Paragraph 0048: Discloses the use of a user profile that contains user preferences that include demographic and psychographic data. Paragraph 0042 describes how user preferences are generated. Hosea et al's invention of personalization of a web page is available to all requesting users. (Paragraph 0034, lines 1-8))
- providing a presentation document including a structured document having structural elements classified with classification identifiers; (An HTML file of the requested Web page is considered a presentation document, which is formed of constituent components that include content component and formatting components. (Paragraph 0043; lines 5-9) In addition, Hosea et al discloses of a HTML profile that includes classifications for the content components of the HTML file. (Paragraph 0043, lines 1-5; 11-14) Paragraph 0045, lines 14-16, discloses that the ability of the HTML file is combined with the HTML profile of being merged as one file, as in one document. In addition,

Hosea et al another embodiment of a presentation document in Paragraph 0049, created using user classifications.)

- identifying a user profile event for a user during the presentation; (Paragraph 0039; 0041 discloses the method of identifying a user ID in the event of accessing a URL. Once ID is determined, the user profile corresponding to the user ID is obtained and used to filter out content to produce a modified Web page. (Paragraph 13, lines 9-14) In addition, Paragraph 0051disclose recording user preferences while viewing a presentation document during presentation, wherein used to create a new modified Web page (Paragraph 0046)

Hosea et al fails to specifically disclose that adding to the session structured document at least one structural element from the presentation document, the added structural element having a classification identifier that corresponds to a user classification of the user. However, Hosea et al discloses in Paragraph 0047, lines 1-3, using the classification of each content component from the HTML profile/file to analyze its relevance to the requesting user wherein Paragraph 0046 discloses the process of comparing the components to the interest of the user and is either eliminated, rearranged, or new content may be added. Thus, a new modified Web page is created with the included components by the user preferences. (Paragraph 0047) It was well known to one of ordinary skill in the art at the time of the invention that each content component contained structural elements disclosing the location of the content component within the structure a HTML file. Hosea et al discloses these structural

elements as formatting components within a HTML file in Paragraph 0043. Thus, when a content component is added or reorganized within Hosea et al's personalization web page method, structural elements would have been added or edited to disclose the new location of the content component within the modified version of the requesting user web page.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to have combined Hosea et al's method with the disclosure above since it provided a method for personalizing displays of published Web pages provided by Web content providers to meet the interests of Web users accessing the pages, based on profiles of the users.

As per dependent Claim 2, Hosea et al fails to specifically disclose the user profile event comprises adding a user to the presentation, wherein the added user has a new user classification for the presentation. However, Hosea et al discloses an embodiment of the well-known Web portal, "My Yahoo" by Yahoo. (Paragraph 0008, FIG. 1-6) It was well-known to one of ordinary skill in the art at the time of applicant's invention that Yahoo/My Yahoo system allowed a user to create an account within their system, which produced a user profile for that account. Once the profile is created/added, the user has the ability to personalize content reflecting their interests that results in a new personalized Web page when finished customizing. Thus, new user accounts produce new user classifications or preferences relating to the presentation.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to have combined Hosea et al's method with the disclosure above since it provided a method for personalizing displays of published Web pages provided by Web content providers to meet the interests of Web users accessing the pages, based on profiles of the users.

As per dependent Claim 3, Hosea et al discloses a method:

- changing a user classification in a user profile of a user who is participating in the presentation, wherein the changed user classification includes a new user classification for the presentation. (Paragraph 0051; lines 12-17 discloses a user interests change based on their Web surfing activity, thus resulting in their profile automatically changing to their new interests. Paragraph 0013, lines 3-9; Paragraph 0042 discloses the real-time generating of user profile interests/preferences/classifications. Hosea et al also discloses another embodiment of manually changing user interests on viewing specific types of content. (Paragraph 0008)

As per independent Claim 11, Claim 11 recites a system for performing the method of Claim 1. Therefore, Claim 11 is similarly rejected under Hosea et al and Ladd et al.

As per dependent Claim 12, Claim 12 recites similar limitations as in Claim 2 and is similarly rejected under Hosea et al.

As per dependent Claim 13, Claim 13 recites similar limitations as in Claim 3 and is similarly rejected under Hosea et al.

As per independent Claim 21, Claim 21 recites a computer program product for performing the method of Claim 1. Therefore, Claim 21 is similarly rejected under Hosea et al and Ladd et al. Furthermore, Hosea et al discloses a recording medium (Page 7, Claim 45: memory for storing programs)

As per dependent Claim 22, Claim 22 recites similar limitations as in Claim 2 and is similarly rejected under Hosea et al.

As per dependent Claim 23, Claim 23 recites similar limitations as in Claim 3 and is similarly rejected under Hosea et al.

7. Claims 4-7, 14-17, and 24-27 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Hosea et al (US PGPub 2002/0138331, published 9/26/2002) in further view of Ladd et al (US Patent #6,269,336, patented 7/31/2001).

As per dependent Claim 4, Hosea et al fails to specifically disclose adding a grammar element to the session grammar in dependence upon the added structural element. However, Hosea et al discloses that additional content may be added to the personalized Web page during modification. On the other hand, Ladd et al discloses the creation of a markup language document used by a voice browser that contains a plurality of elements (Abstract, lines 13-14) that describe the structure of a document or page, provide pronunciation of words and phrases, and place markers in the text to control interactive voice services. The markup language also provides elements that control phrasing, emphasis, pitch, speaking rate, and other characteristics. (Column 16, lines 11-17) The markup language also contains text, navigational controls, and input

controls for voice applications. (Column 15, lines 60-64) Column 16, line 21- Column 38, line 25, discloses all the elements used by Ladd et al. Since Ladd et al discloses the markup language (ML) document is created containing grammar elements, it was well-known to one of ordinary skill that creating a ML document involves the process of adding, or deleting elements and text within the document, which the same process is followed when editing, updating or amending a document. Thus, one of ordinary skill would have been able to add new elements of Ladd et al's grammar elements after a document was created by Hosea et al's method.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to have combined Hosea et al's method with Ladd et al's method since Ladd et al's method would have provided users to access information from an information source using voice inputs or commands.

As per dependent Claim 5, Hosea et al discloses a method:

- identifying a presentation document for a presentation, the presentation document including a structured document having structural elements classified with classification identifiers; (An HTML file of the requested Web page is considered a presentation document, which is formed of constituent components that include content components and formatting components. (Paragraph 0043; lines 5-9) In addition, Hosea et al discloses of a HTML profile that includes classifications for the content components of the HTML file. (Paragraph 0043, lines 1-5; 11-14) Paragraph 0045, lines 14-16,

discloses that the ability of the HTML file is combined with the HTML profile of being merged as one file, as in one document)

- identifying a user participant for the presentation, the user having a user profile comprising user classifications; and (e.g. Paragraph 0041, lines 5-14; Paragraph 0048: Discloses the use of a user profile that contains user preferences that include demographic and psychographic data. Paragraph 0042 describes how user preferences are generated)
- filtering the structured document in dependence upon the user classifications and the classification identifiers to create a session document. (Paragraphs 0046-0047 discloses the use of the HTML file/profile and user profile by comparing the classifications of each content component with the user preferences to create a modified personalized web page.)

However, Hosea et al fails to disclose that the presentation document includes presentation grammar. On the other hand, Ladd et al discloses the use of voice grammar on a markup language document by using a voice browser. Ladd et al discloses the markup language contains text, navigational controls, and input controls for voice applications. (Column 15, lines 60-64) In addition, the markup language can include elements that place markers in the text to control interactive voice services. (Column 16, lines 11-14). With the use of the voice browser application, it fetches the markup language document for user interaction. (Column 13, line 66 – Column 14, line 9) The voice browser collects user input and determines the grammar for user's speech recognition. It determines if a pre-determined grammar exists for the input and markup

language. Once the grammar been found, it's sent to the VRU server recognize the user input by comparing the grammar to the user input. (Column 14, lines 10-42; FIG 5) In addition, Ladd et al discloses the use of a detection unit that compares audio inputs to the grammar stored in database. The detector monitors the inputs for key phrases or word, which is then sent to VRU for responses to the said key phrase. (Column 10, lines 12-20)

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to have combined Hosea et al's method with Ladd et al's method since Ladd et al's method would have provided users to access information from an information source using voice inputs or commands.

As per dependent Claim 6, Claim 6 recites similar limitation as in Claim 1 and is rejected under rationale. Furthermore, Hosea et al discloses a method:

- extracting, from the structured document, structural elements having classification identifiers corresponding to the user classifications; and writing the extracted structural elements into a session structured document in the session document. (Paragraph 0043, lines 14-15 discloses that the HTML file is parsed to extract the constituent components, which include content components with formatting components (Paragraph 0043, lines 5-7), and analyzing and rating the content components. Then, Paragraph 0047, lines 1-3, discloses uses the classification of each content component from the HTML profile/file to analyze its relevance to the requesting user wherein Paragraph 0046 discloses the process of comparing the components to the

interest of the user and is either eliminated, rearranged, or new content may be added. Thus, a new modified Web page is created with the included components by the user preferences (Paragraph 0047))

As per dependent Claim 7, Hosea et al fails to specifically disclose that filtering the presentation grammar, in dependence upon the extracted structural elements, into a session grammar in the session document. However, Hosea et al discloses that the voice browser determines if pre-determined grammar or pre-existing grammar is contained in the markup language. (Column 14, lines 18-20) In addition, Ladd et al discloses the markup language contains text, navigational controls, and input controls for voice applications (Column 15, lines 60-64) and the markup language can include elements that place markers in the text to control interactive voice services. (Column 16, lines 11-14). Ladd et al's method of structural elements that contain voice commands, navigational controls, or voice place markers in a markup language can be incorporated into the structural components of Hosea et al's method allowing the creation of the modified HTML file in Hosea et al's that only contains voice elements to its relevant components, which links to the corresponding selected grammar, thus filtering out the grammar of the presentation document.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to have combined Hosea et al's method with Ladd et al's method since Ladd et al's method would have provided users to access information from an information source using voice inputs or commands.

As per dependent Claim 14, Claim 14 recites similar limitations as in Claim 4 and is similarly rejected under Hosea et al and Ladd et al.

As per dependent Claim 15, Claim 15 recites similar limitations as in Claim 5 and is similarly rejected under Hosea et al and Ladd et al.

As per dependent Claim 16, Claim 16 recites similar limitations as in Claim 6 and is similarly rejected under Hosea et al and Ladd et al.

As per dependent Claim 17, Claim 17 recites similar limitations as in Claim 7 and is similarly rejected under Hosea et al and Ladd et al.

As per dependent Claim 24, Claim 24 recites similar limitations as in Claim 4 and is similarly rejected under Hosea et al and Ladd et al.

As per dependent Claim 25, Claim 25 recites similar limitations as in Claim 5 and is similarly rejected under Hosea et al and Ladd et al.

As per dependent Claim 26, Claim 26 recites similar limitations as in Claim 6 and is similarly rejected under Hosea et al and Ladd et al..

As per dependent Claim 27, Claim 27 recites similar limitations as in Claim 7 and is similarly rejected under Hosea et al and Ladd et al.

8. Claims 8-10, 18-20, and 28-30 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Hosea et al (US PGPub 2002/0138331, published 9/26/2002) in further view of Ladd et al (US Patent #6,269,336, patented 7/31/2001) in further view of Huang (US PGPub 2001/0032218, published 10/18/2001)

As per dependent claim 8, Hosea et al fails to specifically disclose creating a presentation grammar for the structured document, wherein the presentation grammar for the structured document includes grammar elements each of which includes an identifier for at least one structural element of the structured document. However, Ladd et al discloses the use of creating a markup language that document having a plurality of elements, that include markup tags, wherein elements describe the structure of the document, provide pronunciation of words and phrases, and place markers in the text to control interactive voice services, such as controlling phrasing, emphasis, pitch, and speaking rate. (Column 16, lines 5-20) The markup language also includes input controls for voice applications (Column 15, lines 60-64). Using a voice browser application to interrupt the markup language document, a grammar is dynamically created if a pre-existing grammar is not found in a stored database, and once generated it is sent to the VRU server. (Column 14, lines 18-42)

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to have combined Hosea et al's method with Ladd et al's method since Ladd et al's method would have provided users to access information from an information source using voice inputs or commands.

Furthermore, Hosea et al and Ladd et al fail to specifically disclose creating, in dependence upon an original document, a structured document comprising one or more structural elements; classifying a structural element of the structured document according to a presentation attribute. However, Huang discloses a method for converting unstructured documents into structured documents. (Abstract, lines 1-3) In

addition, Huang discloses an identifier is assigned to each document element that may include a name, font, type name, or a color where the identifier is in data of each of the document elements. (Paragraph 0050, lines 5-7) In addition, FIG. 7 discloses the arranging of character data within classification element tags, such as ingredient, wherein each of the data elements for the character data contains element presentation attributes for font types and font colors. (FIG. 7, 706)

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to have combined Hosea et al and Ladd et al's method with Huang's method since Huang's method would have provided users to convert unstructured documents for various presentations.

As per dependent Claim 9, Hosea et al and Ladd et al fail to specifically disclose identifying a presentation attribute for the structural element; identifying a classification identifier in dependence upon the presentation attribute; and inserting the classification identifier in association with the structural element in the structured document. However, Huang discloses using an association table (FIG. 5; Paragraph 0067, Page 6, lines 3-6) for the document elements defined in a desired DTD and associated font attributes which parses the input document into data elements and its assigned font attributes. (Paragraph 0067) FIG. 6 discloses an editing result for the unstructured document in which each parsed data elements are assigned with font attributes that also involves region grouping of data elements. Hence, ingredient elements are grouped together, and so are procedure elements. In correlation with the association table, the grouped elements are identified under one element, such as ingredient, and are inserted during

the converting of the structured document. FIG 7 discloses the insertion of element tags with each of its assigned attributes, which were assigned when the document was parsed, in which the use of mapping rules converted documents into a structured document.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to have combined Hosea et al and Ladd et al's method with Huang's method since Huang's method would have provided users to convert unstructured documents for various presentations.

As per dependent Claim 10, Hosea et al fails to specifically disclose selecting, in dependence upon the content type, a full presentation grammar from among a multiplicity of full presentation grammars; and filtering the full presentation grammar into a presentation grammar for the structured document in dependence upon the structural elements of the structured document. On the other hand, Ladd et al discloses selecting a grammar from a pre-determined/existing grammar stored in a database or in the markup language based on the user inputs. (Column 14, lines 18-42) In addition, Ladd et al discloses the markup language contains text, navigational controls, and input controls for voice applications (Column 15, lines 60-64) and the markup language can include elements that place markers in the text to control interactive voice services. (Column 16, lines 11-14). Ladd et al's method of structural elements that contain voice commands, navigational controls, or voice place markers in a markup language can be incorporated into the structural components of Hosea et al's method allowing the creation of the modified HTML file in Hosea et al's that only contains voice elements to

its relevant components, which links to the corresponding selected grammar, thus filtering out the grammar of the presentation document.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to have combined Hosea et al's method with Ladd et al's method since Ladd et al's method would have provided users to access information from an information source using voice inputs or commands.

Furthermore, Hosea et al and Ladd et al fail to specifically disclose identifying the content type of the original document. However, Huang discloses stating the unstructured document (Paragraph 0035, lines 8-12) is printed to a metafile format, mostly commonly Portable Data Format, so the metafile format can be opened or read identically in many different environments. (Paragraph 0043) It was well known to one of ordinary skill in the art that when converting the unstructured document into a metafile for conversion purposes, the program doing the conversion is able to read and understand the data format, able to identify the content type of the unstructured document and able to transfer the content into a metafile format.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to have combined Hosea et al and Ladd et al's method with Huang's method since Huang's method would have provided users to convert unstructured documents for various presentations.

As per dependent Claim 18, Claim 18 recites similar limitations as in Claim 8 and is similarly rejected under Hosea et al, Ladd et al and Huang.

As per dependent Claim 19, Claim 19 recites similar limitations as in Claim 9 and is similarly rejected under Hosea et al, Ladd et al and Huang.

As per dependent Claim 20, Claim 20 recites similar limitations as in Claim 10 and is similarly rejected under Hosea et al, Ladd et al and Huang.

As per dependent Claim 28, Claim 28 recites similar limitations as in Claim 8 and is similarly rejected under Hosea et al, Ladd et al and Huang.

As per dependent Claim 29, Claim 29 recites similar limitations as in Claim 9 and is similarly rejected under Hosea et al, Ladd et al and Huang.

As per dependent Claim 30, Claim 30 recites similar limitations as in Claim 10 and is similarly rejected under Hosea et al, Ladd et al and Huang.

(10) Response to Argument

In regards to Appellant's arguments on pages 8-11 in reference to Claim 1, Appellant argues Hosea does not teach providing a presentation document including a structured having structural elements classified with classification identifiers. In addition, Appellant argues the web page is not a presentation document since Appellant states from the specification that a presentation document is described as "composed of presentation grammar and structured document." However, the Examiner disagrees.

In response to Appellant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., presentation documents composed of a presentation grammar) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification,

limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). The Examiner is aware of the element being argued is not disclosed in independent claim 1, but disclosed in dependent 5 claim that is not being argued by the Appellant. Examiner respectfully asks the Appellant to look at the rejection of Claim 5 in the grounds of rejection in response to a presentation document having a presentation grammar.

Since the claim's wording is broad and contains no clear definition of what classification identifiers are defined as leaving it up to various interpretations as Examiner saw fit, Hosea does teach a presentation document for presentation, the presentation document having structural elements classified with classification identifiers. Hosea et al discloses a presentation document for presentation by having a modified document created to be provided to the user, wherein additionally, is viewed to the user (Paragraph 0049, lines 1-3) Therefore, the modified document is presented to the user for viewing making it's a presentation thus making the document for presentation a presentation document. In addition, Hosea et al discloses that the presentation document including a structured document having structural elements classified with classification identifiers. Hosea et al discloses the document used as a presentation document is an HTML file wherein the HTML file, a structured document, is a markup language file that includes content and formatting components. (Paragraph 0043) An HTML file has formatting components to structure the document on how it is viewed, while classification identifiers indicated the content components, coinciding with the formatting components, if it is a link, image or text string. Paragraph 0043, lines 1-5,

and in addition, lines 5-9 discloses HTML file/profile is based on the same or similar content classification scheme to the user profile wherein the user profile includes classifications for the content components of the HTML file, therefore, the HTML file includes classification identifiers of the content.

In regards to Appellant's arguments on pages 11-17 in reference to Claim 1, Appellant argues Hosea does not teach identifying a user profile event for a user profile event for a user during the presentation. In addition, Appellant argues that a user profile event is an event that results in adding a user classification to the set of user classifications for a presentation. However, the Examiner disagrees.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., a user profile event is an event that results in adding a user classification to the set of user classifications for a presentation) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). The Examiner is aware of the element being argued is not disclosed in independent claim 1, but disclosed within a dependent 2 claim with a similar limitation that is not being argued by the Appellant. Examiner respectfully asks the Appellant to look at the rejection of Claim 2 in the grounds of rejection in response to adding a user classification for a presentation.

Since the claim's wording is broad and contains no clear definition of what a user profile event is defined as leaving it up to various interpretations as Examiner saw fit, Hosea does teach identifying a user profile event for a user during the presentation. Thus, Hosea discloses identifying a user profile associated with a user ID for a user when is accessing a web page. Paragraphs 0039 and 0041 disclose of a user accessing a web page wherein the user profile, with help of the user's user ID, is retrieved for personalization of the accessed web site. Once the user profile is retrieved, the user profile is used to analyze the data to match the web page content (of the just accessed web page) to user preferences (from the user profile) and produce a modified version of the accessed web page, personalized in accordance with the user profile. Furthermore, Paragraph 0046 discloses in more detail of the modification that the user profile is used to create the modified presentation web page thus identifying the user profile event. Now this statement and rest of Paragraph 0046 tie into Paragraph 0051 where it states "if the user's interests change, because the user profile is preferably tied to his or her Web surfing, those changes will automatically be recorded and taken into account without explicit action by the user." In other words, the process of create a new modified page for presentation is ongoing since after it being presentation, the user profile is still being accessed or identified by collecting data disclosed and used for modification. (Paragraph 0039, 0041 and in addition, 0042, and 0052).

In regards to Appellant's arguments on pages 17-22 in reference to Claim 1, Appellant argues Hosea fails to teach and suggest adding to the session structured

document at least one structural element from the presentation document, the added structural element having a classification identifier that corresponds to a user classification of the user. In addition, Appellant argues a session document is a repository for filtered presentation content and is derived from a presentation document targeted for the participants of a presentation. Furthermore, Appellant argues a session document is a data structure that includes a session grammar derived from a presentation grammar in a presentation document and a session structured document derived from a structured document in a presentation document. However, the Examiner disagrees.

In response to Appellant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., a session document is a repository for filtered presentation content and is derived from a presentation document targeted for the participants of a presentation) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). In addition, Hosea discloses filtering content from a original web page into a personalized web page for the targeted user (Abstract, Paragraphs 0046-0047, 0049)

Furthermore, in response to Appellant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., a session document is a data structure that includes a session grammar derived from a presentation grammar in a presentation document and a

session structured document derived from a structured document in a presentation document.) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Although the Examiner fully agrees Hosea fails to specifically teach the limitation "adding to the session structured document at least one structural element from the presentation document, the added structural element having a classification identifier that corresponds to a user classification of the user", Hosea et al still manages of suggesting the teaching of the limitation wherein a new modified Web page, a session document from a presentation document used for presentation is created by the use of a user profile containing user preferences (user classifications). Paragraph 0047, lines 1-3, discloses the web page personalization component uses the classification of each content component (as described in Paragraph 0044) from the HTML profile/file to analyze its relevance to the request user, and in addition, lines 3-5, content components may be matched to user profiles in any number of ways, discloses in Paragraph 0044, and 0046. Paragraph 0046 discloses the process of comparing the components, from the original request Web page (HTML file) that originally is presented to the user, to the interests of the user and is either eliminated, rearranged or new content or content components may be added, wherein Paragraph 0047 continues to state "creating a modified HTML file, with the included content components" which was decided by the user preferences. In other words, a new modified Web page is created with the included components by the user preferences.

In addition, it was well known to one of ordinary skill in the art at the time of the invention that each content component contained structural elements disclosing the location of the component within the structure of a HTML file, wherein Hosea et al discloses the structural elements as formatting components within a HTML file in Paragraph 0043, since it provided a method for personalizing displays of published Web pages provided by Web content providers to meet the interests of Web users accessing the pages, based on profiles of the users.

Thus, when a content component is added or reorganized, decided by user preferences or classifications, within Hosea et al's personalization web page method, structural elements would have added or edited to disclose the new location of the content component within the modified version of the requesting user web page.

In regards to Appellant's arguments on pages 22-23, Appellant argues that there is no suggestion or motivation to modify Hosea stating Hosea fails to discloses any suggestion or motivation from the teachings themselves and that the Examiner failed to explicitly point to the teaching within Hosea amending a session document during a presentation. However, the Examiner disagrees.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in

the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Hosea discloses amending a session document during a presentation. Within Hosea invention, in summary, a user is viewing a web page on his or her computer wherein the web page provided to the user is filtered, according to the user profile containing user preferences, thus forming a modified web page built according to the user's preferences wherein Hosea teaches or suggests the limitations of the independent claims as disclosed in response to Appellant's arguments. Therefore, Hosea provides suggestion or motivation to modify Hosea since Hosea teaches modifying documents during a presentation.

Therefore, in regards of Hosea not specifically teaching the fourth limitation, it was well known to one of ordinary skill in the art at the time of the invention that each content component contained structural elements disclosing the location of the component within the structure of a HTML file, wherein Hosea et al discloses the structural elements as formatting components within a HTML file in Paragraph 0043, since it provided a method for personalizing displays of published Web pages provided by Web content providers to meet the interests of Web users accessing the pages, based on profiles of the users.

In response to Appellant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon

hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

All other arguments on pages 25-31 referring to the dependent claims and parallel claims are in reference to the topics above, thus the rationale above can be used to respond to the similar arguments.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

David Faber



Conferrees:

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 Heather Herndon, Supervisory Patent Examiner for Group Art Unit 2176



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